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LAW OFFICES
GINSBURG, FELDMAN AND BRESS
CHARTERED
1250 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036
TELEPHONE (202) 637-9000

CORRESPONDENT OFFICE
9, RUE BOISSY D'ANGLAS
75008 PARIS, FRANCE

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NOV 29 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

JAY S. NEWMAN
ASSOCIATE
(202) 637-9114

November 29, 1994

TELECOPIER (202) 637-9195
TELEX 4938614

HAND DELIVERED

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

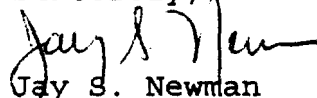
Re: Ex Parte /-- MM Docket No. 92-260,
RM 8380 and CC Docket No. 87-266 ✓

Dear Mr. Caton:

In accordance with Section 1.1200 et seq. of the Commission's rules, this is to advise that on Monday, November 28, 1994, Edward Milstein, Vice Chairman, and Peter Price, President, Liberty Cable Company, Inc. ("Liberty"), and Henry M. Rivera, Esq., Jay S. Newman, Esq., Lloyd Constantine, Esq., and W. James MacNaughton, Esq. met with Chairman Reed Hundt and Merrill Spiegel to discuss Liberty's perspective, as contained in its previous filings with the Commission, on the above-captioned proceedings. The attachments to this letter were used in that discussion as well as a model to illustrate the cable inside wiring in multiple dwelling units. (Page six of the attachment contains a diagram of this model.) A total of three copies of this letter and the attachment are herewith provided to you, one copy for each proceeding.

An original and three copies of this letter and the attachment were filed with the Commission and a copy was delivered to the above-named Commission personnel on November 29, 1994, as the meeting was not over until after the Secretary's office closed.

Sincerely,


Jay S. Newman

Attachments

cc: Chairman Reed Hundt
Merrill Spiegel

JSN:cas

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

EDWARD L. MILSTEIN

**Vice Chairman
Liberty Cable Company, Inc.
575 Madison Avenue
New York, New York 10022
212-891-7771**

PETER O. PRICE

**President
Liberty Cable Company, Inc.
575 Madison Avenue
New York, New York 10022
212-891-7771**

Its Attorneys

**Henry M. Rivera
W. James MacNaughton
Lloyd Constantine
Jay S. Newman**

November 28, 1994

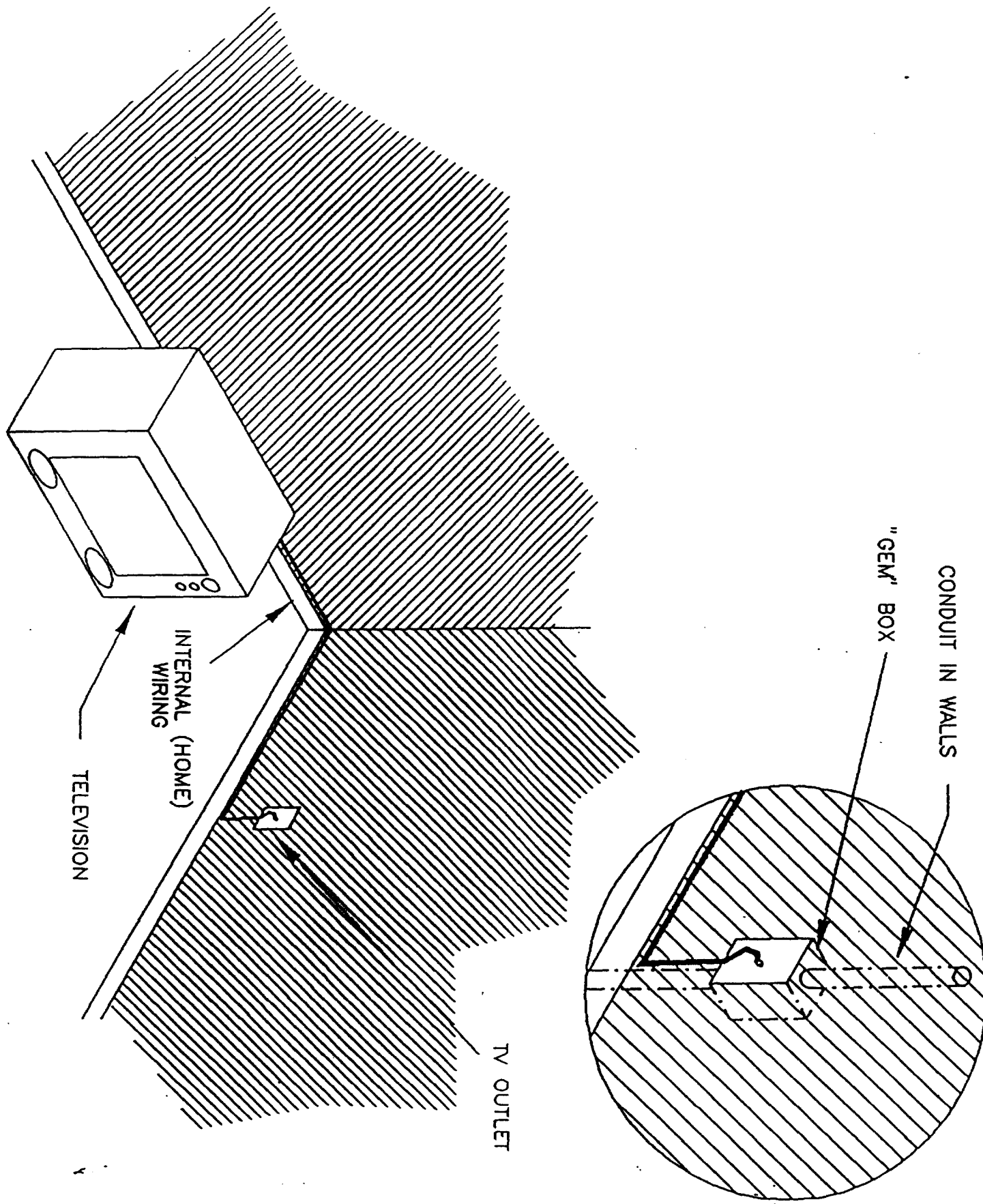
LIBERTY CABLE COMPANY, INC.

- Liberty is a satellite master antenna television ("SMATV") operator that is successfully overbuilding and competing head to head in New York City with Time Warner, the local franchised cable company.
- Liberty currently services approximately 27,000 subscribers at dozens of sites in the New York metropolitan area.
- Almost all of Liberty's subscribers are in multiple dwelling units ("MDUs") -- cooperatives, condominiums and rental apartment buildings.
- Liberty also provides services to several hotels in Manhattan.
- Liberty is a pioneer in the use of the 18 GHz band to provide video services and has built the largest 18 GHz microwave network in the United States. Liberty was intimately involved in the efforts to obtain access to the 18 GHz band for the provision of video service.
- Liberty is also among the first MVPDs in the United States to test video dialtone service and technology.

LIBERTY CABLE COMPANY, INC.

CABLE HOME WIRING

- The demarcation point for cable home wiring in MDUs should be at the point:
 - * where the individual dedicated subscriber lines ("Individual Lines") can be detached from common lines ("Common Lines");
 - * without damaging the property or interfering with service to others;
 - * outside the subscriber's premises but on the MDU property.
- Cable home wiring should include conduits, moldings, gem boxes and other passive equipment used to hold cable home wiring.
- Cable home wiring should include splitters and other passive equipment used to connect Individual Lines to Common Lines.
- A wallplate demarcation point in MDUs is useless and will encourage abusive litigation.
- A wallplate demarcation point in MDUs will leave unanswered the legal status of Individual Lines located between the wallplate and the Common Line. This, as a result, will allow each of the fifty states, applying the common law of fixtures and chattels, to determine consumer access to Individual Lines by competing MVPDs.
- Cable home wiring should include a "loop through" system when all the subscribers on the "loop" switch to another MVPD. The MDU owner should acquire the "loop" (or affected parts).
- The cable home wiring rules do not cause a "taking" of property.



LIBERTY CABLE ENGINEERING DEPARTMENT
 215 EAST 95TH STREET, NEW YORK, NY 10123
 (212) 735-6700, (212) 735 5678 (FAX)

**CONDUIT WIRING DETAIL
 PARALLEL SYSTEM WIRING
 DWG 1 OF 2**

DRAWN BY:	D.G
DATE:	7/27/93
DWG:	LBRTY-50

TIME WARNER RISER

LIBERTY RISER

LIBERTY TAP

WALL PLATE

"F" STYLE BARREL

"GEM" BOX

CONDUIT IN WALL

TIME WARNER RISER

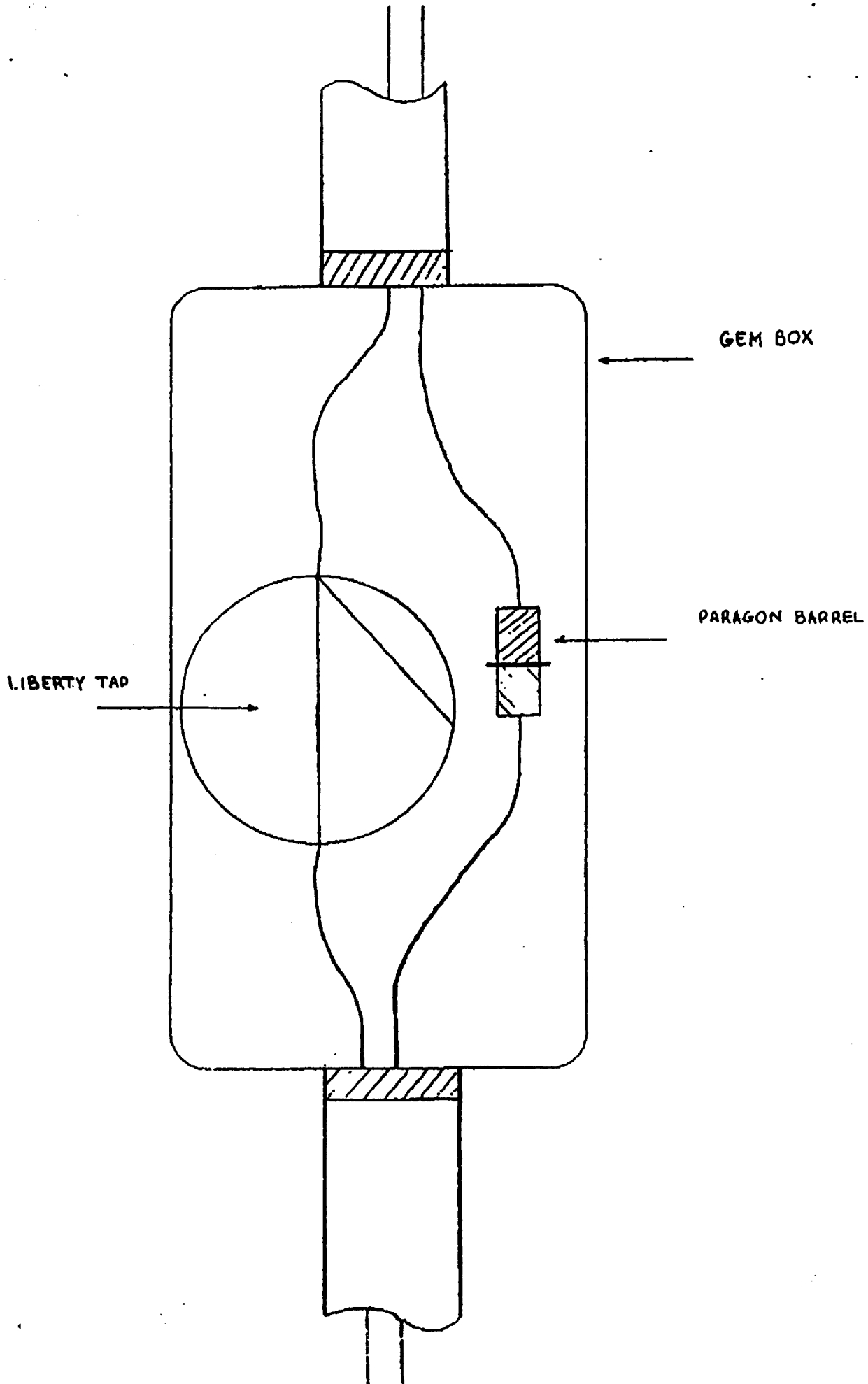
LIBERTY RISER



LIBERTY CABLE ENGINEERING DEPARTMENT
215 EAST 95TH STREET, NEW YORK, NY 10128
(212) 735-6700, (212) 735 5673 (FAX)

CONDUIT WIRING DETAIL
PARALLEL SYSTEM WIRING
DWG 2 OF 2

DRAWN BY: D.G
DATE: 7/27/93
DWG: LBRTY-51



LIBERTY PARAGON

4-PORT
TAPS

1/2" CONDUIT TO APT.

GEM BOX

WALL PLATE

HALLWAY MOLDING

PARAGON

ENTRY TO APT.

LIBERTY

